



Case No.:  
Patent Appln.

BENDE-008B

*Handwritten initials*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant's: Theodore V. Benderev )  
Serial No.: ~~09/197,938~~ **733,455** )  
Filed: November 23, 1998 )  
For: System & Method for Securing )  
Sutures to Bone & Tissue )

Art Unit: 3731  
Examiner: David O. Reip

PRELIMINARY A M E N D M E N T

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON D C 20231

Dear Sir/Madam:

Prior the examination of the above-identified continuation in part application, please amend such application as follows:

IN THE CLAIMS:

Please cancel Claims 1-5 without prejudice.

Please add the following new claims:

6. (New) A surgical implant for securing sutures, grafts, synthetic materials, and soft tissue to soft tissue at a selected target site comprising:

- (a) a piton member having proximal and distal ends, said distal end being operative to penetrate into and become embedded within said soft tissue at said target site, said piton member being manually positionable within the tissue such that said piton member defines a pathway of penetration therewithin;
- (b) an attachment member formed upon said proximal end of said piton member, said attachment member being designed to receive and securably hold said suture, graft or soft tissue; and

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3731

PTO/SB/21 (6-98)

a plus sign (+) inside this box → ☐Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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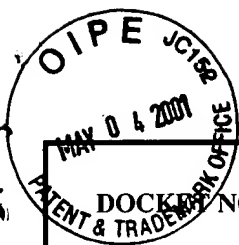
<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	<del>00/197,989</del> 9-733,455	
	Filing Date	November 23, 1998	
	First Named Inventor	Theodore V. Benderev	
	Group Art Unit	3731	
	Examiner Name	David O. Reip	
Total Number of Pages in This Submission	40	Attorney Docket Number	BENDE-008B

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Charge Any Additional Fee Required, to Deposit Account No. 19-4330	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> Amendment/Response	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69 and Accompanying Petition)	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
REMARKS: MAY 08 2001 TECHNOLOGY CENTER R3700		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	MATTHEW A. NEWBOLES STETINA BRUNDA GARRED & BRUCKER
Signature	
Date	4/27/01

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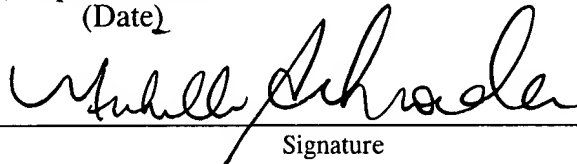
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1. Transmittal;
2. Amendment (11 Pages);
3. Declaration of Theodore V. Benderev (12 Pages);
4. Declaration of Tom D. Thomas (9 Pages);
5. Declaration of Stephen DeSantis (6 Pages);
6. Certificate of Mailing; and
7. Return Receipt Postcard.